IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1923 OF 2003
IN
INCOME TAX APPEAL (L) NO.637 OF 2003

The Commissioner of Income Tax
Mumbai City-III .. Appellant
V/s
M/s.D.C.W.Ltd.Bombay .. Respondent

Mr.Ashok Kotangale for the Appellant.
Mr.Jitendra Singh for the Respondent.

CORAM : DR.S.RADHAKRISHNAN &
V.C.DAGA, JJ.

DATE : 20th March, 2007.

P.C.:

1. Heard the learned Counsel for the parties. Perused the affidavit in support of the Notice of Motion. For the reasons stated therein, sufficient cause is made out for condonation of delay caused in filing the Appeal. There is no case of inaction, negligence or want of bonafide on the part of the Appellant. Hence, Notice of Motion is made absolute in terms of prayer clause (a).

2. Place the Appeal on board for admission on 16.04.2007.

(V.C.DAGA, J.) **(DR.S.RADHAKRISHNAN,J.)**